

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Oct 28, 2022**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

TONYA RENEE E.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

NO: 1:22-CV-3062-RMP

ORDER GRANTING PARTIES'  
STIPULATED MOTION TO REMAND

BEFORE THE COURT is the parties' Stipulated Motion to Remand pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 13. Plaintiff Tonya Renee E.<sup>1</sup> is represented by attorney D. James Tree. The Commissioner of Social Security is represented by Special Assistant United States Attorney Joseph Langkamer.

After consideration, **IT IS HEREBY ORDERED** that the parties' Stipulated Motion for Remand, **ECF No. 13**, is **GRANTED**. Pursuant to the parties'

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<sup>1</sup> The Court uses Plaintiff's first name and last initial to protect his privacy.

1 stipulation, the Commissioner’s final decision is **reversed and remanded** for  
2 further proceedings pursuant to sentence four of 42 U.S.C. §405(g). Upon remand  
3 the Commissioner will instruct the Administrative Law Judge (“ALJ”) to offer the  
4 claimant the opportunity for a hearing; consider the medical opinions and prior  
5 administrative findings, consistent with 20 C.F.R. §§ 404.1520c and 416.920c;  
6 reevaluate the claimant’s symptoms, consistent with 20 C.F.R. §§ 404.1529,  
7 416.929, and SSR 16-3p; reevaluate the claimant’s residual functional capacity,  
8 consistent with 20 C.F.R. §§ 404.1545, 416.945, and SSR 96-8p, and proceed with  
9 the sequential evaluation as necessary. *See* ECF Nos. 13 and 13-1.

10 Upon proper presentation, this Court will consider Plaintiff’s application for  
11 costs and attorney’s fees under 28 U.S.C. §§ 1920, 2412(d).

12 **IT IS FURTHER ORDERED** that Plaintiff’s Motion for Summary  
13 Judgment, **ECF No. 10**, is **DENIED AS MOOT**.

14 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this  
15 Order and provide copies to counsel, enter judgment in favor of Plaintiff, and **close**  
16 **the file**.

17 **DATED** October 28, 2022.

18  
19 *s/ Rosanna Malouf Peterson*  
20 ROSANNA MALOUF PETERSON  
21 Senior United States District Judge